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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rolf Steiger Group Art Unit: 1774
Serial No. : 09/336,462 Examiner: P. Schwartz
Filed : June 18, 1999
For : RECORDING SHEETS FOR INK JET PRINTING

Date: May 12, 2004

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR THE WITHDRAWAL OF NOTICE OF ABANDONMENT,
OR, IN THE ALTERNATIVE,
PETITION TO REVIVE FOR UNAVOIDABLE ABANDONMENT
OR, IN THE ALTERNATIVE,
PETITION TO REVIVE FOR UNINTENTIONAL ABANDONMENT

Sir/Madame:

Applicant submits this request for Withdrawal of the Notice of Abandonment. No Abandonment Notice has been received from the USPTO. In the alternative, Applicant submits this as a Petition, either under 37 C.F.R. 1.137(a), to revive the above-identified patent application due to unavoidable delay, or in the alternative, under 37 C.F.R. 1.137(b), to revive the above-identified patent application due to unintentional delay.

Simultaneously, a Continued Prosecution Application, under 37 C.F.R. 1.53(d), with Preliminary Amendment is being filed with this Petition.

REQUEST FOR THE WITHDRAWAL OF NOTICE OF ABANDONMENT

1. A Notice of Abandonment is expected to be issued for failure to file a timely response to an Advisory Action dated February 23, 2004.

2. Applicant respectfully disagrees with the potential mailing of a Notice of Abandonment. A Final Rejection dated

August 12, 2003 was mailed to Applicant. Applicant timely filed an Amendment after Final Rejection on January 12, 2004 with the required fee for a two month extension and requested expedited After Final Processing.

3. Examiner mailed an Advisory Action on February 23, 2004 which stated that the Amendment after Final Rejection failed to place the application in condition for allowance.

4. Since the Advisory Action was mailed after the six month deadline, Applicant was not able to file a timely response. Consequently, the application was abandoned.

5. Applicant has at all times acted with promptness, diligence and good faith. Accordingly, Applicant respectfully requests that the Notice of Abandonment be withdrawn.

PETITION TO REVIVE FOR UNAVOIDABLE ABANDONMENT

This request is being submitted in the alternative, seeking revival of the application as a Petition to Revive for Unavoidable Abandonment. In the event that Applicant's request for Withdrawal of the Notice of Abandonment is denied, it is requested that the present Petition to Revive for Unavoidable Abandonment be considered.

This Petition to Revive for Unavoidable Abandonment is submitted together with the following:

- (1) A description of the circumstances surrounding the delay showing that the delay was unavoidable, detailed in ¶s 1 to 5 above; and
- (2) Authorization to charge Deposit Account No. 50-1541 for the fee of \$110 for the Petition to Revive for Unavoidable Abandonment under 37 CFR 1.17(1), or to credit any refund thereto. Duplicate copies of this petition are enclosed.

Accordingly, Applicant respectfully requests that the Notice of Abandonment be withdrawn.

PETITION TO REVIVE FOR UNINTENTIONAL ABANDONMENT

In the alternative, this request is being submitted as a Petition to Revive for Unintentional Abandonment. In the event that Applicant's request for Withdrawal of the Notice of Abandonment and Petition to Revive for Unavoidable Abandonment are both denied, it is requested that the present Petition to Revive for Unintentional Abandonment be considered.

As indicated above in the account of the circumstances leading to the issuance of the Notice of Abandonment, Applicant's delay was unintentional.

This Petition to Revive for Unintentional Abandonment is submitted together with the following:

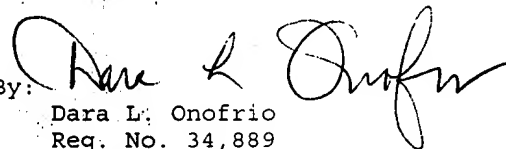
- (1) A statement included below that the delay in responding to the Office Action was unintentional; and

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

- (2) Authorization to charge Deposit Account No. 50-1541 for the fee of \$1,350 for the Petition to Revive for Unintentional Abandonment under 37 CFR 1.17(m), or to credit any refund thereto. Duplicate copies of this petition are enclosed.

Accordingly, Applicant respectfully requests that the Notice of Abandonment be withdrawn.

Respectfully submitted,
Attorney for Applicant

By: 

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New York, NY 10010
(212) 871-6112




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CERTIFICATE OF EXPRESS MAILING

I hereby certify that the aforementioned papers are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Certificate Number **EV 450792793 US**
Date May 12, 2004

Dara L. Onofrio
Person mailing paper


Signature of person mailing paper